

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

AMERICAN AIRLINES, INC.,

Plaintiff,

v.

SKIPLAGGED, INC.,

Defendant.

§
§
§
§
§
§
§
§

Civil Action No. 4:23-cv-00860-P

PLAINTIFF AMERICAN AIRLINES, INC.'S PROPOSED VOIR DIRE QUESTIONS

In accordance with the Scheduling Order (Dkt. No. 20 at 9, B.8(f)), plaintiff American Airlines, Inc. (“American”) submits the following proposed voir dire questions for the Court to ask. American requests the opportunity to conduct additional examination after questions posed by the Court:

Bias or Prejudice

1. The plaintiff in this case is American Airlines, a company that provides air transportation. Does anyone have a strong opinion of American, good or bad, that may impact your ability to be a fair juror in this case?

2. Does anyone feel they may be starting out in this case, without yet hearing the evidence, favoring American for any reason? How about disfavoring American for any reason?

3. The defendant in this case is Skiplagged, Inc., a company that operates a travel website. Is anyone familiar with Skiplagged? Does anyone have a strong opinion of Skiplagged, good or bad, that may impact your ability to be a fair juror in this case?

4. Has anyone heard about or visited a travel website called Skiplagged.com? Has anyone bought any airline tickets or other services on the website called Skiplagged.com?

5. Does anyone feel they might be starting out this case, without yet hearing the evidence, favoring Skiplagged for any reason? How about disfavoring Skiplagged for any reason?

General Experience

6. Has anyone gotten special training or education in the law? Economics? Accounting? Computers or software?

7. Has anyone been involved with applying for or getting a patent, trademark, or copyright from the United States Patent & Trademark Office? Does anyone know what it means to get a patent, trademark, or copyright over an idea, design, or product?

8. Has anyone ever worked at a startup company? What advantages do startup companies have in competing with larger, more established companies? What disadvantages do they have?

9. How important is it for any company, from a startup to an established company, to follow the rules of fair competition in that industry?

10. Has anyone ever had an idea at work for a new product or design? In that situation, who do you think owns that idea, you or your employer? How important would it be to get permission from your employer if you wanted to pursue that idea? How would you react if your employer said it owned an idea that you came up with at work?

11. In general, how much do you trust the people who run large corporations?

12. In general, how optimistic or pessimistic are you about the future?

13. There is a saying that if it seems too good to be true, it probably is. What does that mean? Has anyone had experience with a deal too good to be true? What would you do if you were offered a deal that sounded too good to be true?

14. Has anyone ever broken the rules of a store or service provider in order to save money? If you had to choose, which is more important to you: following store rules or saving money?

Travel Industry Experience

15. How often do you fly? How do you usually book your flights and buy the tickets? Do you have a particular airline that you usually use?

16. Has anyone recently used a travel agent to book air travel reservations or tickets for you or your family or at work? How did you know that the travel agent was authorized to book those reservations or tickets with the airline that you chose?

17. Has anyone ever used an online travel ticket seller like Travelocity, Orbitz, or Expedia to book air travel reservations or tickets for you or your family or at work? How did you know that the website was authorized to book those reservations or tickets with the airline that you chose?

18. Has anyone ever bought a travel ticket or made a reservation through a website for travel or lodgings and had problems when you tried to use the ticket or reservation?

19. Does anyone know what “skiplagging” means in the air travel industry? Has anyone ever booked a flight that connected through an interim city and then got off in that interim city, because that’s where you really wanted to go?

Damages

20. Does anyone feel strongly that lawsuits tend to award plaintiffs too much money? Or not enough money?

21. If a plaintiff proves the defendant owes money under the claims, is there any reason that you might be unable to award all proven financial damages?

22. Does anyone think that it is less important to compensate a plaintiff that is a big company which loses money or suffers harm due to wrongful conduct by a defendant?

Dated: September 16, 2024

Respectfully submitted,

/s/Dee J. Kelly, Jr.

Dee J. Kelly, Jr.

State Bar No. 11217250

dee.kelly@kellyhart.com

Julia G. Wisenberg

State Bar No. 24099146

julia.wisenberg@kellyhart.com

KELLY HART & HALLMAN LLP

201 Main Street, Suite 2500

Fort Worth, Texas 76102

(817) 332-2500

R. Paul Yetter

State Bar No. 22154200

pyetter@yettercoleman.com

YETTER COLEMAN LLP

811 Main Street, Suite 4100

Houston, Texas 77002

(713) 632-8003

Cameron M. Nelson

nelsonc@gtlaw.com

GREENBERG TRAURIG LLP

77 West Wacker Drive, Suite 3100

Chicago, Illinois 60601

(312) 456-6590

Nathan J. Muyskens

nathan.muyskens@gtlaw.com

GREENBERG TRAURIG LLP

2101 L Street, N.W., Suite 1000

Washington, DC 20037

(202) 331-3100

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that on September 16, 2024, I served the foregoing document electronically in accordance with the Federal Rules of Civil Procedure.

/s/ Dee J. Kelly, Jr.

Dee J. Kelly, Jr.